



FAX TRANSMISSION

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DATE: MAY 9, 2003

TOTAL PAGES INCLUDING
COVER PAGE: 11

TO: Supervisory Examiner Gary Benzion

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FROM: Harriet M. Strimpel
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Docket No.: NEB-180
William E. Jack
U.S.S.N.: 09/738,444
Filed: December 15, 2000

Second Supplement to Response After Final

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PTO/SB/1 (03-03)
Approved for use through 04/30/2003. OMB 0651-0631
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/738,444
Filing Date	12/15/00
First Named Inventor	WILLIAM E. JACK
Art Unit	1634
Examiner Name	Gary Benzon
Attorney Docket Number	NEB 180

ENCLOSURES (Check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment/Reply
 - After Final
 - Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53

- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation
- Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) _____

- After Allowance Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below)

Remarks

Second Supplementary Response after final

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual

New England Biolabs Inc

Signature

Hanet Strimpel

Date

5/9/03

CERTIFICATE OF TRANSMISSION/MAILING

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HARRIET STRIMPET

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Hanet Strimpel

Date

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P-10/SB-7 (01-03)

Approved for use through 04/30/2003. GMR 0451-0322

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None
 Deposit Account

14-0740

New England Biolabs

The Commissioner is authorized to: (check all that apply)

Charge fees indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee
 To the above identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee	Fee Description	Fee Paid
\$100	\$50	100*	Initial filing fee	
1001 /50	2001 375	1. Initial filing fee		
1002 330	2002 *65	Design filing fee		
1003 220	2005 263	Plant filing fee		
1004 750	2004 375	Reissue filing fee		
*1005 160	2003 80	Provisional filing fee		
SUBTOTAL (1) (\$)				

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims	Fee from below	Fee Paid
Independent	...+U* =	X +
...+3* =	X +	
Multiple Dependent		+ +

Large Entity	Small Entity	Fee	Fee Description	Fee Paid
		Fee	Fee Description	
1202 18	2202 9	Claims in excess of 20		
1201 84	2201 42	Independent claims in excess of 3		
1203 260	2203 140	Multiple dependent claim, if not paid		
1204 84	2204 47	** Reissue independent claims over original patent		
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent		
SUBTOTAL (2) (\$)				

*or number previously paid; if greater. For Reissues, see above

Reduced by basic filing fee paid

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee	Fee Description	Fee Paid
		Code (\$)	Fee Code (\$)	
1051 130	2051 65	1051 Surcharge - late filing fee or cash		
1052 250	2052 250	1052 Surcharge - late provisional filing fee or cover sheet		
1053 130	1053 130	1053 Non-English specification		
1812 2,520	1812 2,520	1812 Requesting publication of SIR prior to examination		
1804 920*	1804 160*	1804 Requesting publication of SIR after examiner action		
1805 1,840*	1805 1,840*	1805 Requesting publication of SIR after appeal		
1251 110	2251 55	1251 Extension for reply within first month		
1252 410	2252 205	1252 Extension for reply within second month		
1253 930	2253 465	1253 Extension for reply within third month		
1254 1,450	2254 725	1254 Extension for reply within fourth month		
1255 1,070	2255 985	1255 Extension for reply within fifth month		
1401 320	2401 160	1401 Notice of Appeal		
1492 320	2402 160	1492 Filing a brief in support of an appeal		
1403 280	2403 140	1403 Request for oral hearing		
1451 1,513	1451 1,513	1451 Petition to Institute a public use proceeding		
1452 110	2452 55	1452 Petition to revive - unavoidable		
1453 1,300	2453 650	1453 Petition to revive - unintentional		
1501 1,300	2501 650	1501 Utility issue fee (or reissue)		
1502 470	2502 235	1502 Design issue fee		
1503 630	2503 215	1503 Plant issue fee		
1460 130	1460 130	1460 Petitions to the Commissioner		
1807 50	1807 50	1807 50 Processing fee under 37 CFR 1.17(q)		
1808 180	1808 180	1808 Submission of Information Disclosure Stmt		
1821 40	1821 40	1821 Recording each patent assignment per property and/or number of properties		
1809 750	1809 280*	1809 Filing a submission after final rejection (37 CFR 1.11(a))		
1810 750	1810 2810	1810 375 For each additional invention to be examined (37 CFR 1.129(b))		
1831 750	1831 2801	1831 375 Request for Continued Examination (RCE)		
1802 900	1802 18C2	1802 800 Request for expedited examination of a design application		
SUBTOTAL (2) (\$)				
SUBTOTAL (3) (\$)				

(Complete if applicable)

Name (Print/Type)	Harriet M. Strimpel	Registration No. (Attorney/Agent)	137008	Telephone	978-927-5054
Signature	<i>Harriet M. Strimpel</i>			Date	5/9/03

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Docket No.: NEB-180

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Jack, et al. EXAMINER:Frank Lu,
Supervisory Examiner,
Gary Benzion
S SERIAL NO.: 09/738,444 GROUP: 1655
FILED: December 15, 2000
FOR: Use of Site-Specific Nicking Endonucleases To
Create Single-Stranded Regions and Applications
Thereof
Box AF
The Honorable Commissioner of
Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

5/13/2003
Please enter

SECOND SUPPLEMENT TO RESPONSE AFTER FINAL

Sir:

Supervisory Examiner Gary Benzion and Examiner Frank Lu conducted a prior art search based on claims submitted in the supplemental response faxed to the Supervisory Examiner on April 24, 2003. Applicants were informed in a telephone conference on May 7, 2003, that no new relevant art was uncovered. The Supervisory Examiner additionally informed Applicants that after meeting with Examiner Lu, it was decided that the claims were allowable with the amendments incorporated below. Consequently, the claims as amended reflect those changes agreed on for purposes of clarity with the Supervisory Examiner.

Zulcan